

Remarks:

In the Office Action, claims 3-5, 7-10 and 19 were objected to as being dependent upon a rejected base claim. Claims 1, 2, 6, 11, 13 and 14 were rejected under
5 35 U.S.C. § 102(b), as allegedly anticipated by Suzuki et al., U.S. Patent No. 5,153,815. Applicants note with appreciation that claims 12, 15-18 and 20 were acknowledged to be allowable over the references of record, and that claims 3-5, 7-10 and 19 will be allowable over the references of record if rewritten in independent form.

10 Applicants also note with appreciation that the Examiner has accepted the declaration filed under 37 C.F.R. 1.131 to overcome the prior 102(e) rejection based upon the Koenen reference (U.S. Patent 6,349,035).

15 Additionally, Applicants also note with appreciation that all of the claimed species have now been examined.

The above-described objections and rejections are addressed as follows:

20 I. GENERAL AMENDMENTS

New claims 21-28 have been added to the application to better claim Applicants' invention. No new matter has been added by these claims.

25 II. OBJECTIONS TO CLAIMS 3-5, 7-10 and 19

Applicants have amended claims 3, 4, 7 and 9, making them independent. Claims 5, 8, 10 and 19 depend from claims 4, 7, 9 and 7, respectively. These amendments
30 therefore address the objection to claims 3-5, 7-10 and 19. Applicants note that the claims from which claims 3, 4, 7 and 9 used to depend have not been canceled, that these amendments do not narrow these claims, and that these amendments do not relate to patentability. These amendments were done to separate the prosecution of claims 3-5, 7-10 and 19 from their former independent claims. Applicants respectfully request that
35 the Examiner withdraw the objections to claims 3-5, 7-10, and 19.

III. REJECTIONS OVER THE CITED ART

Claims 1, 2, 6, 11, 13 and 14 were rejected under 35 U.S.C. § 102(b), as allegedly
5 anticipated by Suzuki et al. The present Amendment provides additional features to
claims 1, 2, 6, 11, 13 and 14. The added features relate to a compliant mounting of a cold
device on an actuator, as disclosed in various places within the application (e.g., page 4,
lines 12-17).


10 Suzuki et al. fails to disclose the combination of features claimed in claims 1, 2, 6,
11, 13 and 14. Because the cited references fail to describe the element of claims 1, 2, 6,
11, 13 and 14, Applicants have overcome the rejection under 35 U.S.C. § 102(b), with
respect to Suzuki et al. Accordingly, the rejection of claims 1, 2, 6, 11, 13 and 14, under
37 U.S.C. § 102(b), is now improper, and Applicants respectfully request it be withdrawn.

IV. CONCLUSION

20 In light of the present amendments and remarks, the applicants believe that the
claims are now in condition for allowance. Applicants respectfully request that a timely
Notice of Allowance be issued in this case.

Respectfully submitted,

25 BASH et al.

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